



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: ENVIRONMENTAL GOVERNANCE
SUB-DIRECTORATE: RECTIFICATION**

REFERENCE NUMBER: 14/2/4/2/1/A1/2/0004/18

ENQUIRIES: Moe'mina Hoosain

BY REGISTERED MAIL

The Owner
Umvundla Enterprise
P. O. Box 971
REYGERSDAL
7352

Cell: (083) 442 8695
Email: andrewisaacs@mweb.co.za

Attention: Mr. Andrew Isaacs

Dear Sir

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL COMMENCEMENT, DEVELOPMENT AND RELATED OPERATION OF FACILITIES FOR THE CONCENTRATION OF ANIMALS FOR THE PURPOSE OF COMMERCIAL PRODUCTION AT UMVUNDLA RABBIT BREEDING FACILITY, SHAMBA LA FAMILIA, FARM RE/47/22 ZOUTERIVIER

With reference to your application dated 15 March 2018 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

ENVIRONMENTAL AUTHORISATION

A. DECISION

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to continue with the listed activities specified in Section C below, as described in the application dated 15 March 2018, the environmental assessment of July 2018 and additional information received on 28 June 2019.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G.

This Environmental Authorisation shall only take effect from the date on which it has been issued.

The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Owner
Umvundla Enterprise
P. O. Box 971
REYGERSDAL
7352

Cell: (083) 442 8695

Email: andrewisaacs@mweb.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the holder".

C. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
Government Notice. No. R983 of 2014 Activity Number: 4 Activity Description: <i>"The development and related operation of facilities or infrastructure for the concentration of animals for the purpose of commercial production in densities that exceed-</i> <i>(i) 20 square metres per large stock unit and more than 500 units per facility;</i>	The applicant unlawfully constructed a rabbit breeding facility, in order to house approximately 2400 breeding stock i.e. 40 000 rabbits at any given time. The activity entailed construction of the following: • A 750m ² shed (50mx15m) with 200 x

- (ii) 8 square meters per small stock unit and;
 - a. more than 1 000 units per facility excluding pigs where (b) applies; or
 - b. more than 250 pigs per facility excluding piglets that are not yet weaned;
- (iii) 30 square metres per crocodile at any level of production, excluding crocodiles younger than 6 months;
- (iv) 3 square metre per rabbit and more than 500 rabbits per facility; or
- (v) 250 square metres per ostrich or emu and more than 50 ostriches or emus per 4; facility."

Similarly listed in terms of Government Notice No. R327 of 2014, as amended (Listing Notice 1)

Activity Number: 4

Activity Description:

"The development and related operation of facilities or infrastructure for the concentration of animals in densities that exceed—

- (i) 20 square metres per large stock unit and more than 500 units per facility;
- (ii) 8 square meters per small stock unit and;
 - a. more than 1 000 units per facility excluding pigs where (b) applies; or
 - b. more than 250 pigs per facility excluding piglets that are not yet weaned;
- (iii) 30 square metres per crocodile and more than 20 crocodiles per facility;
- (iv) 3 square metres per rabbit and more than 500 rabbits per facility; or
- (v) 250 square metres per ostrich or emu and more than 50 ostriches or emus per facility."

4-level, 4-cage housing warrens;

- Water supply to all cages;
- Two hundred (200) waste pans that are positioned under every housing warren;
- Two (2) nutec cottages have been constructed (one is 3.6m x 9m and the other is 3.6 x 12m).

The applicant commenced with the intention to also construct the following:

- Two (2) additional sheds (15mx50m each), storage facility for feed and equipment (10mx5m);
- Two (2) labourer's accommodation (3mx9m); and
- A separate storage facility for feed and equipment (10mx5m).

Government Notice. No. R983 of 2014, as similarly listed in terms of Government Notice No. R327 of 2014, as amended (Listing Notice 1)

Activity Number: 8

Activity Description:

"The development and related operation of hatcheries or agri-industrial facilities outside industrial complexes where the development footprint covers an area of 2 000 square metres or more."

Government Notice. No. R983 of 2014

Activity Number: 27

Activity Description:

"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-
(i) the undertaking of a linear activity; or
(ii) maintenance purposes undertaken in accordance with a maintenance management plan."

Similarly listed in terms of Government Notice No. R327 of 2014, as amended (Listing Notice 1)

Activity Number: 27

Activity Description:

"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—
(i) the undertaking of a linear activity; or
(ii) maintenance purposes undertaken in accordance with a maintenance management plan."

Government Notice, No. R983 of 2014

Activity Number: 39

Activity Description:

"The expansion and related operation of facilities for the concentration of animals for the purpose of commercial production in densities that will exceed-

(i) 20 square metres per large stock unit, where the expansion will constitute more than 500 additional units;

(ii) 8 square meters per small stock unit, where the expansion will constitute more than;

(a) 1 000 additional units per facility or more excluding pigs where (b) applies; or

(b) 250 additional pigs, excluding piglets that are not yet weaned;

(iii) 30 square metres per crocodile at any level of production where the expansion will constitute an increase in the level of production, excluding crocodiles younger than 6 months;

(iv) 3 square metre per rabbit where the expansion will constitute more than 500 additional rabbits; or

(v) 250 square metres per ostrich or emu where the expansion will constitute more than 50 additional ostriches or emus."

Similarly listed in terms of Government Notice No. R327 of 2014, as amended (Listing Notice 1)

Activity Number: 39

Activity Description:

"The expansion and related operation of facilities for the concentration of animals [for the purpose of commercial production] in densities that will exceed—

- (i) 20 square metres per large stock unit, where the expansion will constitute more than 500 additional units;
- (ii) 8 square meters per small stock unit, where the expansion will constitute more than;
- (a) 1 000 additional units per facility or more excluding pigs where (b) applies; or
 - (b) 250 additional pigs, excluding piglets that are not yet weaned;
- (iii) 30 square metres per where the expansion will constitute an additional 20 crocodiles or more;
- (iv) 3 square metres per rabbit where the expansion will constitute more than 500 additional rabbits; or**
- (v) 250 square metres per ostrich or emu where the expansion will constitute more than 50 additional ostriches or emus.

Government Notice. No. R983 of 2014

Activity Number: 43

Activity Description

"The expansion and related operation of hatcheries or agri-industrial facilities outside industrial complexes, where the development footprint of the hatcheries or agri-industrial facilities will be increased by 2 000 square metres or more."

Similarly listed in terms of Government Notice No. R327 of 2014, as amended (Listing Notice 1)

Activity Number: 43

Activity Description:

"The expansion and related operation of

hatcheries or agri-industrial facilities outside industrial complexes, where the development footprint of the hatcheries or agri-industrial facilities will be increased by 2 000 square metres or more."

The abovementioned list is hereinafter referred to as "the listed activities".

D. PROPERTY DESCRIPTION AND LOCATION

The listed activities commenced on Umvundla rabbit breeding facility, Shamba la Familia, Farm RE/47/22, Zouterivier

The SG digit code is C0160000000002200047

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 35' 00" South	18° 35' 04" East
2	33° 34' 58" South	18° 35' 14" East
3	33° 35' 14" South	18° 35' 14" East
4	33° 35' 07" South	18° 35' 19" East

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 35' 03" South	18° 35' 13" East
2	33° 35' 03" South	18° 35' 14" East
3	33° 35' 04" South	18° 35' 13" East
4	33° 35' 03" South	18° 35' 15" East

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

Herein-after referred to as "the site".

E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Victoria Read Environmental Consulting

C/o Ms Victoria Read

Cell: 072 550 6546

Email: victoria@readenvironmental.co.za

F. DETAILS OF THE ACTIVITIES UNDERTAKEN

The applicant unlawfully constructed a rabbit breeding facility, in order to house approximately 2400 breeding stock i.e. 40 000 rabbits at any given time. The activity entailed construction of the following:

- A 750m² shed (50mx15m) with 200 x 4-level, 4-cage housing warrens;
- Water supply to all cages;
- Two hundred (200) waste pans that are positioned under every housing warren;
- Two (2) nutec cottages have been constructed (one is 3.6m x 9m and the other is 3.6 x 12m).

The applicant commenced with the intention to also construct the following:

- Two (2) additional sheds (15mx50m each), storage facility for feed and equipment (10mx5m);
- Two (2) labourer's accommodation (3mx9m); and
- A separate storage facility for feed and equipment (10mx5m).

G. CONDITIONS OF AUTHORISATION

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

PART I

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section C above in accordance with and as described in the application and assessment

report dated 15 March 2018 and July 2018, respectively, on the site as described in Section D above.

2. The Environmental Authorisation is valid for a period of **five (5) years** from the date of the decision, as it relates to the construction/development and expansion listed activities specified in Section C above.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the alternative described in Section F above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

PART II

Written notice to the competent authority

5. Seven (7) calendar days' notice, in writing, must be given to the competent authority before continuation of commencement of construction and expansion activities.

5.1 The notice must make clear reference to the site details and 24G Reference number given above.

5.2 The notice must also include proof of compliance with the following conditions of 6, 7, 8, and 9.

PART III

Notification and administration of an appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—

- 6.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision as included in Annexure 3;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date when the decision was issued.

6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the *National Appeals Regulations, 2014* detailed in Section I below.

6.3 draw the attention of all registered I&APs to the manner in which they may access the decision.

6.4 provide the registered I&APs with:

- 6.4.1 the name of the holder (entity) of this Environmental Authorisation;
- 6.4.2 name of the responsible person for this Environmental Authorisation;
- 6.4.3 postal address of the holder;
- 6.4.4 telephonic and fax details of the holder;
- 6.4.5 e-mail address, if any, of the holder; and
- 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the *National Appeal Regulations, 2014*.

7. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

PART IV

Management of the activity/development

8. No surface or ground water may be polluted as a result of the activity on the site.

9. The revised Environmental Management Programme ("EMPr") compiled by Victoria Read Environmental Consulting of July 2018 (as received on 28 June 2019), and submitted as part of the application for environmental authorisation, is hereby approved and must be implemented.

10. The revised EMPr must be included in all contract documentation for all phases of implementation.

PART V

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before commencement of any land clearing or expansion activities to ensure compliance with the revised EMPr and the conditions contained herein.

12. A copy of the Environmental Authorisation, revised EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and must be made available to the Department on request.

13. Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

PART VI

Auditing

14. In terms of regulation 34 of the *EIA Regulations, 2014* the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the revised EMPr and submit Environmental Audit Reports to the competent authority upon receiving such request in writing from the competent authority. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

The holder must, within 7 (seven) days of the submission of the report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

PART VII

Activity/ Development Specific Conditions

15. Upon receipt of approval, copies of the approved building plans/engineering drawings must be provided to this Department.

16. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings and/or graves or unmarked human burials including grave goods and/or associated burial material.

17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority. Results of mitigation or monitoring work must be reported to Heritage Western Cape within one year of practical completion of the work.

H. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

2. Non-compliance with a condition or term of this Environmental Authorisation or the revised EMPr may render the holder liable to criminal prosecution.

3. If the holder does not continue, conduct or undertake listed activities within the period referred to in Condition 2 of Section G, this Environmental Authorisation shall lapse for that activity or activities, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment must be made on condition that the environmental authorisation is valid on the date of receipt of such amendment application.

Note that:

(1) In terms of regulation 28(1A) of the *EIA Regulations, 2014* the competent authority shall not accept or process an application for amendment of an environmental authorisation if such environmental authorisation is not valid on the day of receipt of such amendment application but may consider an application for environmental authorisation for the same development.

(2) In terms of regulation 28(1B) of the *EIA Regulations, 2014* an environmental authorisation which is the subject of an amendment application remains valid pending the finalisation of the amendment application.

(3) It is an offence in terms of section 49A(1)(a) of the NEMA for a person to commence with a listed activity if the competent authority has not granted an environmental authorisation for the undertaking of the activity.

4. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the *EIA Regulations, 2014* must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the revised EMPr, must be done in accordance with regulations 35 to 37 of the *EIA Regulations, 2014* or any relevant legislation that may be applicable at the time.

I. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –
 - 1.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.

2. An appellant (if NOT the holder) must –
 - 2.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.

3. The holder (if not the appellant), the decision-maker, I&APs and Organ of State must submit their responding statements, if any, to the Appeal Authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. This appeal and responding statement must be submitted to the address listed below:

By post: Attention: Marius Venter/Jaap de Villiers
 Western Cape Ministry of Local Government, Environmental Affairs &
 Development Planning
 Private Bag X9186, Cape Town, 8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter / Jaap de Villiers (Tel: 021-483 3721)
 Room 809, 8th floor Utilitas Building
 1 Dorp Street, Cape Town, 8000; or

By e-mail: DEADP.Appeals@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

J. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition or term of this Environmental Authorisation or EMPR may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

K. DISCLAIMER

The Western Cape Government, in terms of the conditions of this Environmental Authorisation, shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Yours faithfully



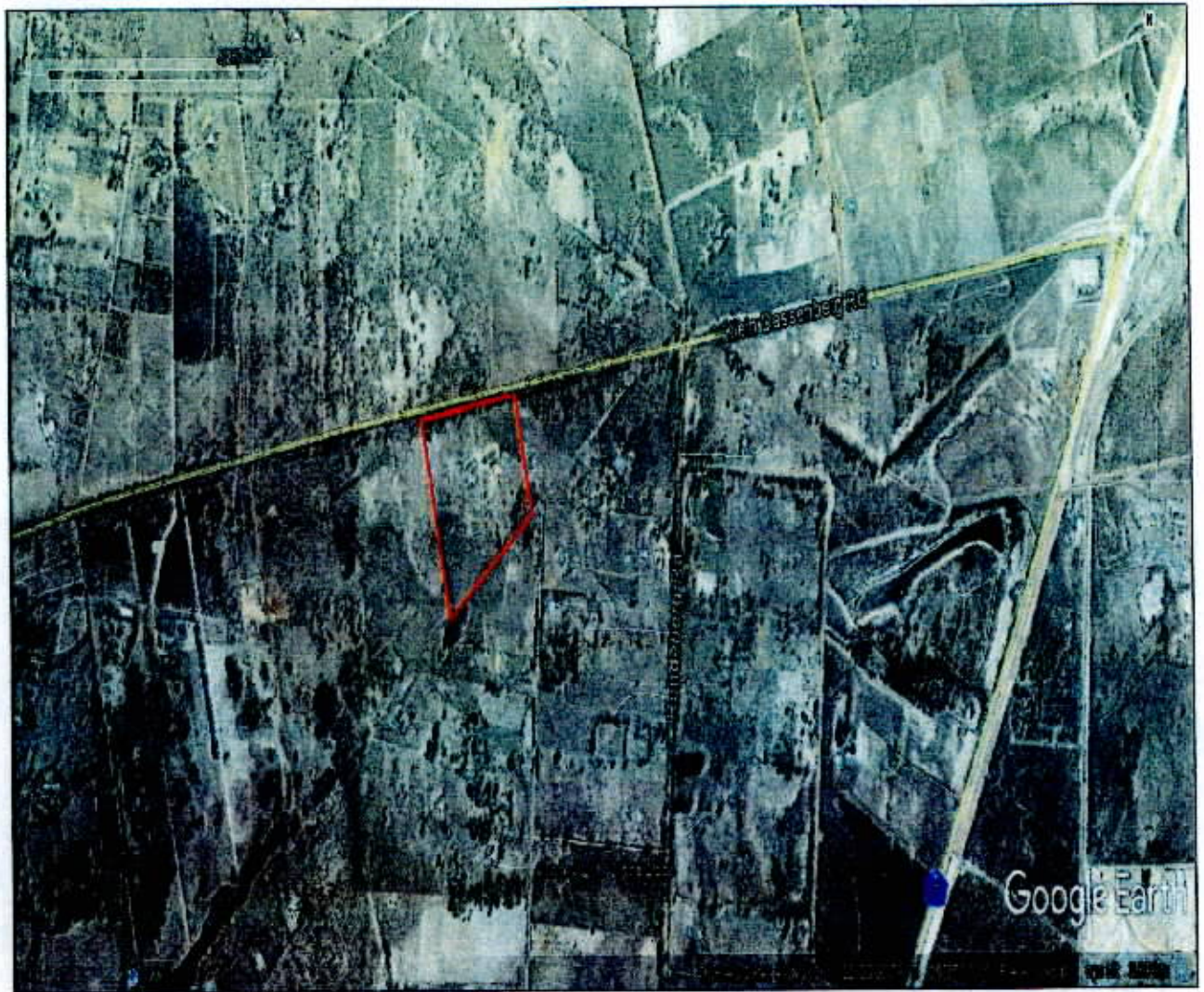
ADV. CHARMAINE MARÉ

DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE OF DECISION: 14 November 2019

- CC:(1) V. Read (Victoria Read Environmental Consulting) Email: victoria@readenvironmental.co.za
(2) D. Kotze (City of Cape Town Fax: (021) 444 2606 Email: joy.garman@capetown.gov.za
(3) A. Roux (Dept of Agriculture SRM) Fax: (021) 808 5342 Email: AndreR@elsenburg.com
(4) Dr Msiza (Dept of Agriculture: Veterinary Services) Fax: (021) 808 7619 Email: HildaC@elsenburg.com

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



FOR OFFICIAL USE ONLY:

S24G REFERENCE: 14/2/4/2/1/A1/2/0004/18

ANNEXURE 3: REASONS FOR THE DECISION

This Environmental Authorisation is in respect of the consequences of commencement of the afore-mentioned illegal activities. An Environmental Assessment Practitioner ("EAP") was appointed to submit a section 24G Environmental Impact Assessment ("EIA") to the Department to obtain this Environmental Authorisation. The EIA was considered adequate for informed decision-making. In addition, the holder paid an administrative fine of R50 000 (Fifty thousand Rand) to meet the requirements of section 24G of the *National Environmental Management Act, 1998* ("NEMA").

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form dated 15 March 2018, the environmental impact assessment report ("EIR") of July 2018, the EMPr submitted together with the EIR, and the additional information received by the competent authority on 28 June 2019.
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
- c) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereto.
- d) The site visit conducted on -
Date/s: 19 September 2018
Attended by: Ms Moe'mina Hoosain

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation Process

In terms of section 24G(1)(vii)(dd) of the NEMA, "...a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed ...", is required.

The public participation process conducted by the EAP comprised of the following:

- identification of and engagement with I&APs.
- fixing a notice board at the site where the listed activities unlawfully commenced in May 2018.
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities were undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities in May 2018.
- the placing of a newspaper advertisement in the **Weskus Nuus** on 31 October 2017.

Consultation with organs of state in terms of section 240 of the NEMA

The following organs of state provided comment on the application:

- The Department of Agriculture: Veterinary Public Health
- CapeNature
- City of Cape Town
- Department of Water and Sanitation

The Department of Agriculture: Veterinary Public Health ("DoA") requested information regarding the expansion and proposed housing of 40 000 rabbits to be slaughtered at Duck Farm abattoir, which is permitted to slaughter 1000 units/day. A substantial amount of rabbits will have to be slaughtered on an ongoing basis. The DoA requested confirmation on which measures will be put in place if >1000 rabbits will have to be slaughtered daily. The EAP responded that the applicant will not be undertaking the slaughter of the rabbits on site, as he has a secure buyer. Hopefield Abattoir is currently in the process of expanding from 850 units to 2000 units/day. This facility would be able to be utilized for the slaughter of the rabbits.

CapeNature stated that no wetlands are mapped for the site, however according to BioNet there are two watercourses traversing the site. CapeNature noted that no freshwater study was undertaken, and highlighted the risk of pollution, stormwater management and the security of the rabbits. The EAP responded that a freshwater study was undertaken and that there was no indication of watercourses.

CapeNature enquired as to whether carcasses can be used in a waste beneficiation stream where potential hygiene and odour can be mitigated. The EAP responded that rabbits are housed in cages which are 4-tiers high, so access to the cages is highly

controlled and the rabbit house is always closed. The EAP further stated that rabbits have an economic value and therefore negligence is unlikely. Lastly, the EAP stated that it is possible to compost the mortalities. Lime and compost can be used to limit odour and aid in the breakdown process.

The City of Cape Town: Environmental and Heritage Resources Management provided input to the EMPr. It was stated that building plan approval and/or land use planning approval was not obtained for the rabbitry. The septic tank is considered undesirable due to possible groundwater contamination. The replacement of the soakaway and septic tank with a conservancy tank will be called for as part of the land-use conditions and subsequent building plan approval. It was stated that the site plan requires amendments. The site plan was subsequently revised and circulated to I&APs for comment and information purposes.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the revised EMPr to adequately address the concerns raised.

The competent authority concurs with the EAP's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the revised EMPr.

2. Alternatives

2.1 Site Alternatives

The farm is owned by the applicant, as such, no other site alternatives have been assessed.

2.2 Activity alternatives

No activity alternatives were considered, as the rabbitry and associated infrastructure functions with the purposes of breeding rabbits. The proposed farming activity will not only provide the applicant with an increased income but will also contribute to food security for the Western Cape as well as provide employment opportunities in the local area. Although the farm is located within an agricultural area, vegetable or fruit farming is not favourable due to the poor sandy soil conditions and general water scarcity in the Western Cape.

2.3 Design/Layout alternatives

Layout Alternative 1

This layout entails the construction of one additional shed either adjacent to, or opposite the existing shed. This alternative is not preferred, as it does not take business growth and overseas/local market demand for the protein source, into account.

Layout Alternative 2 (Preferred Alternative, hereby authorised)

This layout entails the construction of two additional sheds, a storage facility for feed and equipment as well as labourer's accommodation. This alternative is preferred as it takes into account the applicant's intention to expand the business and the meet growing market demand for rabbit meat.

2.4 Technology alternatives

Solar panels are used to provide energy for lighting inside the rabbitry. Power is also sourced from Eskom.

2.5 The option of not implementing or continuing with the activity ("No-Go" Alternative)

This alternative entails ceasing the unlawful activity and rehabilitating the site to pre-construction conditions. This alternative is not desirable or preferred since it would affect the applicant's income and also provides local employment.

3. Environmental Impact Assessment (EIA) and Mitigation Measures

In reaching its decision, the competent authority, considered the following in respect of the EIA and mitigation measures:

3.1 Activity Need and Desirability

The activity is located within a smallholding area where the surrounding land use is agricultural or lifestyle farming (i.e. horse keeping, vegetable gardening etc.). According to the EIR, the activity will increase the agricultural potential and economic value of the property and will create and sustain employment. Furthermore, it is believed that the proposed project will contribute to food security on the Western Cape. Rabbit breeding is viewed as a high protein, niche market product that offers opportunities for new farmers, such as the applicant, with limited access to land under intensive farming conditions. The export market is available due to the consumption of

rabbit meat in Africa, Middle East and Europe, but needs high volumes to be able to supply the demand.

3.2 Regional/ Planning Context

The Integrated Development Plan ("IDP") of the City of Cape Town calls for sustainable economic development and the Provincial Spatial Development Framework ("PSDF") calls for diversification in farming activities, to decrease demand on water resources. According to the EIR, building plans/ engineering drawings will only be drawn up upon approval, as this is a CASIDRA (Cape Agency for Sustainable Integrated Development in Rural Areas) funded project and funding is only released in phases.

3.3 Services/ Bulk Infrastructure

According to the EIR, the activity does not require municipal services. The farm has a borehole at 85m with a pump at 65m. The borehole yield is 7500 litres per hour and is pumped into 2 x 5000l storage tanks which in turn supply the residences on the farm and the rabbits with drinking water and for cleaning.

3.4 Biodiversity Impacts

According to the Botanical Assessment of July 2017 by Bergwind Botanical Surveys and Tours, the area surrounding the existing structure was completely transformed in the past and contained no natural vegetation. The original vegetation type that would have occurred on the property would have been Atlantis Sand Fynbos. This vegetation type is classified as Critically Endangered and supports a high number of threatened species. No intact Atlantis Sand Fynbos or plant species of conservation concern were found.

The site also does not fall within the City of Cape Town Biodiversity Network (BIONET), nor does the site form part of the Dassenberg Coastal Catchment Partnership (DCCP). Indications of earthmoving and other soil disturbance are present throughout the site. The impact significance for the 'loss of vegetation type, ecological processes and important species identified' were rated Very Low Negative.

According to the Freshwater Screening input of July 2018, as compiled by EnviroSwift Environmental Consultancy, runoff from the breeding facility would likely carry a high nutrient load which could cause localised enrichment of watercourses, should any

watercourses be present in close proximity to the breeding facility. The hardened surfaces may have also impacted the hydrology of nearby watercourses. The terrain did not include any defined channel or drainage lines at the locations of the two ephemeral drainage lines indicated by NGI maps. Extensive soil auguring indicated no wetland soil indicators nor any alluvial soils typical of ephemeral drainage lines.

3.5 Visual / Sense of Place

The activity may have resulted in temporary visual impacts during the construction phase. The facility is located within a remote area within the Dassenberg Agricultural Holding area and is surrounded by agricultural or lifestyle farming. The rabbit shed is located on a remote farm and is screened by large Blue Gum trees which provide visual mitigation for the shed.

3.6 Traffic Impacts

The farm has an existing road. No impacts in terms of traffic were identified.

3.7 Pollution Impacts

Waste produced from the breeding and housing of rabbits is in the form of urine, faeces, used bedding and discarded feed. Beneath each tiered layer of cages there are plastic catchment trays (waste pans) onto which all excretory matter falls. These trays are hosed down using water once a day. The effluent is drained via the built-in floor channels into tanks which are located outside of the breeding shed. These plastic tanks separate the solid and the liquid waste via a gauze. The liquid waste is collected in a septic tank which is decanted and distributed as liquid fertiliser to the surrounding farmers. The faeces are collected and stored adjacent to the shed in piles and is composted.

Residences on the farm have a septic tank but still operate on soakaways. The City of Cape Town have subsequently indicated that this system is undesirable, as it poses a potential groundwater pollution risk. The applicant will be required to upgrade the soakaway to include the use of a conservancy tank.

All solid waste produce on the farm is either recycled or disposed off-site.

With regards to mortalities, a plastic sheet is used as a base to prevent any leaching into the ground. A layer of sawdust/wood shavings/bark pieces/straw is placed on the plastic sheet (approximately 30cm). Mortalities are placed on this layer and another 30cm sawdust/wood shavings/bark pieces/straw layer is added on top to completely cover the carcass. This ensures that piles are high enough to ensure effective heat build-up within the pile. If temperature drops in the pile, fresh rabbit/horse manure is added to restart the composting process. When completely composted, the decomposed pile is used to form a base for the next pile or used in the general farm area. The compost site must be lined and effective to ensure complete breakdown of matter.

3.8 Noise Impacts

The activity does not give rise to any noise pollution as rabbits are silent by nature, and the operation of the activity does not give rise to loud, disturbing activities.

3.9 Health Issues

According to the EIR, the current operational farming activities of the applicant do not have a detrimental impact on any aspect of the environment or human health nor will the proposed expansion pose any significant risks or impacts if managed correctly.

3.10 Heritage Impacts

Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is applicable to the development, and as such a Notice of Intent to Develop has been submitted to Heritage Western Cape on 26 February 2018.

3.11 Socio-economic Impacts

The activity is not expected to result in any negative socio-economic impacts.

4. NEMA Principles

The National Environmental Management Principles (set out in section 2 of the NEMA), which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide

the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

In view of the above, the NEMA principles, the conditions stipulated in this Environmental Authorisation, and the revised EMPr, the competent authority is satisfied that the listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----

Moe'mina Hoosain

From: Moe'mina Hoosain
Sent: Thursday, November 14, 2019 1:08 PM
To: andrewisaacs@mweb.co.za
Cc: Victoria Read; hildaC@elsenburg.com; 'andrer@elsenburg.com'
Subject: Environmental Authorisation- Umvundla Rabbit Facility (14/2/4/2/1/A1/2/0004/18)
Attachments: Environmental Authorisation_Umvundla Rabbit Breeding Facility_0004_Issued 14 November 2019.pdf

Good day,

Please see attached correspondence for your information.

Kind regards,
Moe'mina

Moe'mina Hoosain
Specialised Environmental Officer
Sub- Directorate: Rectification
Directorate: Environmental Governance
Department of Environmental Affairs and Development Planning
Fax: 021 483 4033
Email: Moe'mina.Hoosain@westerncape.gov.za
Website: www.westerncape.gov.za/eadp

Moe'mina Hoosain

From: Domain postMaster address <postmaster@elsenburg.com>
Sent: Thursday, November 14, 2019 1:08 PM
To: Moe'mina Hoosain
Subject: Your message couldn't be delivered



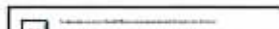
Your message couldn't be delivered

The message you sent to andrer@elsenburg.com couldn't be delivered due to: Recipient email server rejected the message.

Further information

5.3.4 Message size exceeds fixed maximum message size

If you sent this message to multiple addresses, you'll receive a notification like this for every one that didn't arrive.



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Moe'mina Hoosain

From: Mail Delivery System <MAILER-DAEMON@mta05-dc01.cm.synaq.com>
To: andrewisaacs@mweb.co.za
Sent: Thursday, November 14, 2019 1:08 PM
Subject: Undeliverable: Environmental Authorisation- Umvundla Rabbit Facility (14/2/4/2/1/A1/2/0004/18)

This is the mail system at host mta05-dc01.cm.synaq.com.

I'm sorry to have to inform you that your message could not be delivered to one or more recipients. It's attached below.

For further assistance, please send mail to postmaster.

If you do so, please include this problem report. You can delete your own text from the attached returned message.

The mail system

<andrewisaacs@mweb.co.za>: host store368-dc01.cm.synaq.com[10.1.9.168] said:
552 5.2.2 Over quota (in reply to end of DATA command)

Moe'mina Hoosain

From: Microsoft Outlook
To: andrewisaacs@mweb.co.za
Sent: Thursday, November 14, 2019 1:08 PM
Subject: Relayed: Environmental Authorisation- Umvundla Rabbit Facility (14/2/4/2/1/A1/2/0004/18)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

andrewisaacs@mweb.co.za (andrewisaacs@mweb.co.za)

Subject: Environmental Authorisation- Umvundla Rabbit Facility (14/2/4/2/1/A1/2/0004/18)



Environmental
Authorisation- ...

Moe'mina Hoosain

From: Microsoft Outlook
To: hildaC@elsenburg.com; 'andrer@elsenburg.com'
Sent: Thursday, November 14, 2019 1:08 PM
Subject: Relayed: Environmental Authorisation- Umvundla Rabbit Facility
(14/2/4/2/1/A1/2/0004/18)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

hildaC@elsenburg.com (hildaC@elsenburg.com)

'andrer@elsenburg.com' (andrer@elsenburg.com)

Subject: Environmental Authorisation- Umvundla Rabbit Facility (14/2/4/2/1/A1/2/0004/18)



Environmental
Authorisation- ...

Moe'mina Hoosain

From: Microsoft Outlook
To: Victoria Read
Sent: Thursday, November 14, 2019 1:08 PM
Subject: Relayed: Environmental Authorisation- Umvundla Rabbit Facility
(14/2/4/2/1/A1/2/0004/18)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[Victoria Read \(victoria@readenvironmental.co.za\)](mailto:victoria@readenvironmental.co.za)

Subject: Environmental Authorisation- Umvundla Rabbit Facility (14/2/4/2/1/A1/2/0004/18)



Environmental
Authorisation- ...

Addressee	Start Time	Time	Prints	Result	Note
*00218085342	14-11 10:51	00:10:32	026/026	OK	
*00214442606	14-11 11:34	00:00:56	000/026	No Ans	
*00218087619	14-11 11:35	00:00:57	000/026	No Ans	

Note THR:Timer TX, PDL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, PGS:Page Separation TX, MIX:Mixted Original TX, CALL:Manual TX, CSAC:CSAC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original, FCODE:if-code, RIX:Re-Tx, RLV:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: Rx from TEL, NG: Other Error, Cont: Continue, No Ans: No answer, Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full, LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDR:MDN Response Error, DSN:DSN Response Error, PRINT:Compulsory Memory Document Print, DEL:Compulsory Memory Document Delete, SEND:Compulsory Memory Document Send.



DIRECTORATE: ENVIRONMENTAL GOVERNANCE
SUB-DIRECTORATE: RECTIFICATION

REFERENCE NUMBER: 14/2/4/2/1/A1/2/0004/18

ENQUIRIES: Moe'mina Hoosain

BY REGISTERED MAIL

The Owner
Umvundla Enterprise
P. O. Box 971
REYGERSDAL
7352

Cell: (083) 442 8695
Email: andrewisaacs@mweb.co.za

Attention: Mr. Andrew Isaacs

Dear Sir

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL COMMENCEMENT, DEVELOPMENT AND RELATED OPERATION OF FACILITIES FOR THE CONCENTRATION OF ANIMALS FOR THE PURPOSE OF COMMERCIAL PRODUCTION AT UMVUNDLA RABBIT BREEDING FACILITY, SHAMBA LA FAMILIA, FARM RE/47/22 ZOUTERIVIER

With reference to your application dated 15 March 2018 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

ENVIRONMENTAL AUTHORISATION

A. DECISION

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to continue with the listed activities specified in Section C below, as described in the application dated 15 March 2018, the environmental assessment of July 2018 and additional information received on 28 June 2019.